

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANK REIGHTLER,

Plaintiff

vs.

MONMOUTH BIOPRODUCTS, LLC,
a/d/b/a MONMOUTH
BIOPRODUCTS, INC. and SEAN M.
DUDDY ,

Defendants

CIVIL ACTION - LAW

No. 3:13-cv-03019-JMM

(Judge James M. Munley)

(ELECTRONICALLY FILED)

**MOTION OF DEFENDANTS
TO TRANSFER**

AND NOW COME Defendants, MONMOUTH BIOPRODUCTS, LLC, A/D/B/A MONMOUTH BIOPRODUCTS, INC. AND SEAN M. DUDDY, by and through their counsel, Oliver, Price & Rhodes, and respectfully request that this Honorable Court grant Defendants' motion to transfer this matter to the District of New Jersey in accordance with 28 U.S.C. § 1404(a) or alternatively dismiss the matter as to Sean M. Duddy ("Duddy") as argued in Defendants' Brief in Support of their Motion to Dismiss and in support thereof aver as follows:.

1. New Jersey is a proper venue for this proceeding;
2. Pennsylvania is an inconvenient forum for all Defendants herein as

Monmouth BioProducts, LLC a/d/b/a Monmouth BioProducts, Inc. Company and Duddy are residents of Monmouth County, New Jersey;

3. This forum lacks personal jurisdiction over Duddy.

WHEREFORE, the Defendants, MONMOUTH BIOPRODUCTS, LLC, A/D/B/A MONMOUTH BIOPRODUCTS, INC. AND SEAN M. DUDDY, respectfully request that this Court enter an Order transferring the matter to the District of New Jersey or alternatively dismissing the Complaint as to Defendant Sean M. Duddy.

Respectfully submitted,

OLIVER, PRICE & RHODES

/s/ Erin A. Brennan

Erin A. Brennan, Esquire

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CERTIFICATE OF NON-CONCURRENCE

I, Erin A. Brennan, hereby certify that I contacted Richard P. Focht, Esquire with regard to the above Motion and that Attorney Focht does not concur in this Motion.

/s/ Erin A. Brennan

Erin A. Brennan, Esquire

CERTIFICATE OF SERVICE

I, **ERIN A. BRENNAN**, of Oliver, Price & Rhodes, hereby certify that on the 10th day of March, 2014, I served a true and correct copy of the foregoing MOTION TO TRANSFER pursuant to the Federal Rules of Civil Procedure, addressed as follows:

Richard P. Focht, Esquire
Schoffstall & Focht, P.C.
2987 Corporate Court, Suite 200
Orefield, PA 18069

William J. Fries, Esquire
The Atrium, Suite 106
2895 Hamilton Road
Allentown, PA 18104

/s/ Erin A. Brennan

Erin A. Brennan, Esquire